

EXHIBIT H

Videotaped Deposition of
Elizabeth Pelletier
March 09, 2023

Freeman

vs.

Deeks

Confidential



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Freeman vs.
Deebs

Elizabeth Pelletier

1 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2 LYNNE FREEMAN, an)
3 individual,)
4 Plaintiffs,)
5 VS.) Case No. 1:22-cv-02435-LLS
6 TRACY DEEBS-ELKENANEY)
7 P/K/A TRACY WOLFF, an)
8 individual, EMILY SYLVAN)
9 KIM, an individual,)
10 PROSPECT AGENCY, LLC, a)
11 New Jersey limited)
12 liability company,)
13 ENTANGLED PUBLISHING,)
14 LLC, a Delaware limited)
liability company,)
HOLTZBRINCK PUBLISHERS,)
LLC D/B/A MACMILLAN, a)
New York limited)
liability company, and)
UNIVERSAL CITY STUDIOS,) Job No. 10115763
13 LLC, a Delaware limited)
14 liability company,)
Defendants.)

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ORAL AND VIDEOTAPED DEPOSITION OF

ELIZABETH PELLETIER

MARCH 9, 2023

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ORAL AND VIDEOTAPED DEPOSITION OF ELIZABETH

PELLETIER, produced as a witness at the instance of the

Plaintiff, and duly sworn, was taken in the

above-styled and numbered cause on March 9, 2023, from

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1 8:58 a.m. to 1:34 p.m., before Donna Wright, CSR in and
2 for the State of Texas, reported by machine shorthand,
3 at the law offices of KOWERT, HOOD, MUNYON, RANKIN &
4 GOETZEL, 1120 South Capital of Texas Highway,
5 Building 2, Suite 300, Austin, Texas, pursuant to the
6 Federal Rules of Civil Procedure and the provisions
7 stated on the record or attached hereto.
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Elizabeth Pelletier

1 Q. And did you read Stacy Abrams' deposition
2 transcript?

3 A. No.

4 Q. Did you talk to Tracy Wolff about her
5 deposition?

6 A. No.

7 Q. Did you read Tracy Wolff's deposition
8 transcript?

9 A. No.

10 Q. Did you review any documents in preparation
11 for the deposition?

12 A. No.

13 Q. What type of entity is Entangled Publishing,
14 LLC?

15 A. It's an LLC.

16 Q. Who are the members?

17 A. Myself, Stacy Abrams, Jessica Turner, Meredith
18 Johnson, and Katie Clapsadl.

19 Q. Who is the last person?

20 A. Clapsadl. Do you need me to spell it?

21 Q. Yes.

22 A. C-l-a-p-s-a-d-l.

23 Q. And what percentage of Entangled do you own?

24 A. 80 percent.

25 Q. And what percentage does Stacy Abrams own?

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1 A. She owns 5 percent.

2 Q. And the other three, I assume, own 5 percent
3 each?

4 A. They do.

5 Q. How many imprints does Entangled have?

6 A. I don't know off the top of my head.

7 Q. Is it more than ten?

8 A. I don't know.

9 Q. If I ask you to recall the names of the
10 imprints, could you do it?

11 A. I can count them, yes.

12 Q. What are the names of the imprints?

13 A. Amara, Entangled Teen, Red Tower, Embrace,
14 Brazen, Indulgence, Love Struck, Scandalous. I feel
15 like I'm forgetting. That's as many as I can recall
16 right now.

17 Q. And what imprint is the Crave book series in?

18 A. Entangled Teen.

19 Q. And is that imprint you use for young adult
20 paranormal books?

21 A. It's the imprint that I use for young adult.

22 Q. Now, how is Entangled different than other
23 publishing companies?

24 A. I work here. We all work virtually. I don't
25 know if that's different than other publishers. I

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1 really don't know.

2 Q. Is Entangled the publisher of the Crave book
3 series?

4 A. We are.

5 Q. By the way, when I refer to the Crave book
6 series, I'm referring to the books, obviously, Crave,
7 Crush, Covet, Court, Charm, and Cherish. Is that
8 understood?

9 A. It is. If you are only referring to the first
10 book, Crave, will you just say Crave, the book?

11 Q. Yes, yes.

12 A. Thank you.

13 Q. If you are ever not sure, ask me and I'll
14 clarify.

15 A. I appreciate that.

16 Q. Were you the content editor on the Crave book
17 series?

18 A. I was.

19 Q. Did Emily Kim ask you on occasion to make
20 content changes in the books -- in the Crave book
21 series?

22 A. Did she ask me?

23 MS. WOLFF: Did you understand the
24 question?

25 A. I don't think that question is clear enough.

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1 Could you clarify?

2 Q. Well, did Stacy Abrams occasionally ask you to
3 make changes to the book -- books?

4 A. I thought you said did Emily Sylvan Kim.

5 Q. I'm sorry. Did Emily Kim ask you occasionally
6 to make changes to any of the books in the Crave book
7 series?

8 A. Not as you're referring to make changes, no.

9 Q. Explain to me the distinction you're making.

10 A. Sometimes she would suggest some things, point
11 out things that she thought might be mistakes. I did
12 not always agree with her.

13 Q. And did you sometimes correct those mistakes?

14 A. If they were typos or actual mistakes to the
15 fact of the book, yes.

16 Q. Didn't Stacy Abrams -- did she make -- strike
17 that.

18 Didn't Emily Kim also make changes to the
19 book herself?

20 A. No.

21 Q. Didn't she have access to the book online?

22 A. No.

23 Q. Didn't she make changes to the actual physical
24 copy of the drafts?

25 A. She made comments that were then relayed to me

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1 and I chose whether or not I agreed or disagreed.

2 Q. Who did she relay the comments through?

3 A. Stacy.

4 Q. In general, what does a content editor in the
5 publishing business do?

6 A. The content editor is responsible for
7 reviewing the work and making sure that a number of
8 things are the best that they can be.

9 For instance, your typical structure is a
10 three-act structure. You want to make sure Act 1 and
11 Act 3 are the same length. You want the midpoint to be
12 in the middle of the book. So that's a well-formed
13 plot.

14 You want to make sure that each character
15 has a growth arc, which means they start in one place
16 mentally, by the end of the book they have learned
17 something and they have grown.

18 You want to make sure that the beats are
19 in the right place. You want to make sure that --
20 these are all what we call a first pass edit, which is
21 content edit. You also want to make sure that there
22 are no mistakes in the book, that if -- for every
23 action there must be a reaction. So if a phone rings,
24 somebody needs to answer it or acknowledge it. That's
25 called a reaction beat. So an editor makes sure that

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1 there are no phones ringing that nobody is not -- not
2 addressed in the book.

3 You want to make sure that there are no
4 continuity issues, no blocking issues where you have
5 like character one minute is standing and the next
6 minute they're sitting, hair is in a ponytail and now
7 it's not.

8 Smooth out characterization. You want to
9 make sure that the character at the beginning of the
10 book halfway through hasn't changed to a different
11 character or made decisions that are authentic to that
12 character. Yeah, you just -- and then, you know,
13 you're drilling down each successive time that you're
14 looking at the manuscript, getting more and more into
15 the granularity of -- of the words that are used, could
16 a stronger verb be used here to convey more emotion,
17 things like that.

18 Q. Now, what did you do as the content editor on
19 the Crave books?

20 A. All of that.

21 Q. Who is the distributor of the Crave book
22 series for print and eBooks?

23 A. Macmillan.

24 Q. What rights specifically does Macmillan have?

25 A. They have the right to distribute the books.

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1 Q. In what formats?

2 A. Print and E in English.

3 Q. And what territory?

4 A. Can you clarify if you are referring to the
5 Crave book or the Crave series?

6 Q. I'm referring -- well, I'm referring to the
7 agreement. I'll change that.

8 The agreement you have with Macmillan,
9 what territory does it include?

10 MS. WOLFF: Object to the form. You can
11 answer. It's ambiguous.

12 THE WITNESS: It is.

13 A. Are you asking any book or specifically the
14 Crave books?

15 Q. I'm asking any -- is it correct you have just
16 reached an agreement with --

17 A. Yes, the distribution agreement -- sorry.

18 Q. And is that for all of the books in
19 Entangled's catalog?

20 A. It is.

21 Q. [REDACTED]

22 [REDACTED]

23 A. [REDACTED]

24 [REDACTED]

25 Q. [REDACTED]

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1 [REDACTED]
2 A. [REDACTED]
3 Q. [REDACTED]
4 A. [REDACTED]
5 [REDACTED]
6 Q. [REDACTED]
7 A. [REDACTED]
8 Q. [REDACTED]
9 [REDACTED]
10 A. [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 Q. [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 A. [REDACTED]
17 Q. [REDACTED]
18 MS. WOLFF: Wait for him to finish the
19 question.
20 THE WITNESS: Sorry.
21 MS. WOLFF: Otherwise, someone, like the
22 Court reporter --
23 THE WITNESS: Sorry, Donna.
24 MS. WOLFF: -- will become schizophrenic.
25 Q. [REDACTED]

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1 Q. Explain to me what Submittable is.

2 A. Submittable is an online piece of software
3 that allows agents and un-agented authors to submit
4 their manuscripts for review by editors.

5 Q. And why would someone submit a book to
6 Submittable as opposed to directly to an agent or
7 directly to someone at Entangled?

8 MS. WOLFF: Object to form. You can
9 answer if you know.

10 A. I don't know why they would choose. I can't
11 speak for them. That's our protocol. We encourage you
12 to use Submittable.

13 Q. All right. And how does Submittable work?

14 A. I don't use it, so I don't know.

15 Q. What is the protocol at Entangled for
16 destruction of rejected manuscripts submitted by an
17 agent?

18 MS. WOLFF: At what time?

19 MR. PASSIN: In 2013.

20 A. I would assume you just delete it from your
21 e-mail.

22 Q. You said you assume. Do you know?

23 A. Each editor probably had a different timeline
24 that they went through their inbox and looked at that
25 your manuscripts.

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1 A. I did.

2 Q. What is your understanding of what this
3 document is?

4 A. This document is a distribution agreement.

5 Q. Now, is it -- if you look at Paragraph 1A on
6 the first page of the document, it lists the imprints
7 that are subject to the agreement. Is that all of the
8 imprints of Entangled Publishing?

9 A. No.

10 Q. Okay. So certain imprints are left off of
11 this agreement?

12 A. They didn't exist at the time.

13 Q. Pursuant to this agreement, if imprints came
14 into existence at a later time, are they automatically
15 added to this agreement?

16 A. Define "added."

17 Q. Well, let me ask you this. Those imprints
18 that didn't exist in 2013, are the books and those
19 imprints distributed by Macmillan?

20 A. They are.

21 Q. Next I would like to mark as Exhibit 56 a
22 document that is Bates stamped MACMILLAN000071 through
23 0000072.

24 (Exhibit 56 marked)

25 Q. Can you please turn to Page 2 of the document?

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1 gaming rights yourself?

2 MS. WOLFF: Object to the form. Are you
3 talking about Liz as an individual or with Entangled?

4 MR. PASSIN: Entangled.

5 MS. WOLFF: Okay.

6 A. I'm sorry, can you repeat the question?

7 Q. Let me rephrase it.

8 Does Entangled, with respect to the books
9 that it controls, license the film and television and
10 gaming rights itself?

11 A. We use an agent.

12 Q. And you use APA as the agent?

13 A. Yes.

14 Q. What gaming --

15 A. For film, to clarify. For film.

16 Q. What gaming rights has -- have been licensed
17 with respect to any of the Crave books?

18 A. We licensed the first book, only two chapters,
19 Crazy Maple Studios. Crazy Maple Studios.

20 Q. And those are the only gaming rights with
21 respect to all of the books in the Crave book series
22 that have been licensed?

23 A. I believe so.

24 Q. And with respect to motion picture rights, is
25 the only license been entered into is the option

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1 A. When it was requested. I don't know what
2 date.

3 Q. Did you maintain backup for your computers?

4 MS. WOLFF: Object to the form. You can
5 answer if you understand.

6 A. I do not.

7 Q. What e-mail program is on each computer? In
8 other words, Outlook, Apple Mail, anything like that?

9 A. Outlook is on both.

10 Q. And did you access it on your computer or
11 through the web?

12 A. My computer.

13 Q. What kind of software did you use to edit the
14 books in the Crave book series?

15 A. I used Microsoft Word.

16 Q. Didn't you also use Google Docs?

17 A. To edit the books, no, I did not.

18 Q. Did you use Google Docs in connection with the
19 books at all?

20 A. I had access to Google Docs, but I personally
21 did not.

22 Q. What do you mean, you had access to Google
23 Docs?

24 A. It is my understanding that the bible was kept
25 in a Google Doc, but I didn't use it.

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1 Q. And how did you get --

2 A. To the best of my recollection, I did not use
3 it.

4 Q. How did you get that understanding?

5 A. I was told.

6 Q. By whom?

7 A. Emily Sylvan Kim.

8 THE REPORTER: Who?

9 THE WITNESS: Emily Sylvan Kim.

10 Q. Do you have an online subscription to any
11 editing software?

12 A. I do not.

13 Q. Do you have your own Google Docs account?

14 A. I do.

15 Q. You do. Was that used at all in connection
16 with editing of the -- any of the Crave books?

17 A. It was not.

18 Q. Was that account used at all in connection
19 with the bible?

20 A. In the sense that I was given access through
21 that account to the bible.

22 Q. So your own Google account was used to create
23 the bible?

24 A. No.

25 MS. WOLFF: Object to form.

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Elizabeth Pelletier

1 Q. Whose account was used, do you know?

2 A. No. Sorry.

3 Q. When -- do you use Google Docs with -- to edit
4 other books?

5 A. I don't use Google Docs to edit any books.

6 Q. And I'm not talking about the Crave book
7 series. I'm talking about any books.

8 A. No books.

9 Q. Do you use Google Docs for anything?

10 A. Yes.

11 Q. When you make changes to a book on Google
12 Docs, does it send you an e-mail?

13 MS. WOLFF: Objection to form.

14 Q. Does it send you an e-mail advising you --

15 MS. WOLFF: You're mischaracterizing her
16 statement. She said she makes no changes to books
17 using Google Docs.

18 MR. PASSIN: All right. I object to your
19 speaking objection. You're coaching the witness.
20 Please refrain from doing that.

21 Q. Have you ever used Google Docs to edit any
22 books?

23 A. I have never used Google Docs to edit any
24 book.

25 Q. What do you use Google Docs for?

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1 Q. How did you physically edit the books in the
2 Crave book series?

3 A. I typed on my laptop in a word processing
4 application called Microsoft Word.

5 Q. Did Tracy Wolff also make edits to the books
6 in the Crave book series?

7 A. From time to time, yes.

8 Q. So how did that work? Did you pass back and
9 forth drafts of the books?

10 A. Yes.

11 Q. So you made -- did you make the edits usually
12 on the same draft or did you have -- each have
13 different drafts?

14 MS. WOLFF: Object to the form. You can
15 answer if you can.

16 A. We try as much as possible to always have the
17 document that we're working on linearly passed.

18 Q. And --

19 MR. PASSIN: Can you read her answer
20 back, please?

21 (The requested testimony was read back)

22 THE WITNESS: Linearly, like one, then
23 the other, then back. Like sequentially, I guess, is a
24 better word.

25 Q. Do you keep the drafts in the Cloud or

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1 somewhere where you can both access the drafts at the
2 same time?

3 A. No.

4 MS. WOLFF: Object to form. You can
5 answer.

6 A. No.

7 Q. So, in other words, you have the draft in your
8 computer, you make edits, and then you send the draft
9 to Tracy Wolff; is that correct?

10 A. Correct.

11 Q. And vice versa?

12 A. Correct.

13 Q. How do you send it back and forth to each
14 other?

15 A. Via e-mail.

16 Q. Did you produce those e-mails in this
17 litigation?

18 A. I produced every e-mail in this litigation.

19 Q. What phone numbers did you use to text from
20 when -- during the time period you were editing the
21 Crave books?

22 A. My phone number.

23 Q. And what is that?

24 A. [REDACTED]

25 Q. Did you turn over to Entangled's lawyers all

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1 (The requested testimony was read back)

2 Q. So you said you were in IT for many years.
3 What did you do in IT?

4 A. I worked on software that turns pages into
5 digital images.

6 Q. And during what years did you do that?

7 A. 19 -- gosh, I don't remember. 1990 through --
8 17 years ago maybe, 16. I don't know exactly.

9 Q. And then when did you create and run the
10 workshop for writers?

11 A. After that, right after.

12 Q. Do you know what years?

13 A. I don't remember the exact years, but right
14 after that.

15 Q. Well, when did you start Entangled?

16 A. 2011.

17 Q. Was that the first publishing company you
18 started?

19 A. Yes.

20 Q. And did you work at any publishing company
21 before then?

22 A. I did not.

23 Q. When did you first meet Emily Sylvan Kim?

24 A. In person. I think it was in New York. I
25 don't remember when. It was years ago, maybe six years

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1 ago.

2 **Q. Under what circumstances did you meet her?**

3 A. I was in the city. And as is common for
4 editors, you take agents out to lunch, and she was one
5 of the agents that I met with that day.

6 **Q. Over the years have you worked with her a lot?**

7 A. No.

8 **Q. Approximately how many books of her clients**
9 **have you published?**

10 A. I don't know.

11 **Q. Well, was it more than just Tracy Wolff's**
12 **books?**

13 A. Yes.

14 **Q. Can you give me an estimate of how many**
15 **different authors?**

16 A. Between six and ten.

17 **Q. Between six and ten?**

18 A. Maybe.

19 **Q. How many books? Just give me a best estimate.**

20 A. This would be just a wild guess. Maybe 20
21 or 30.

22 **Q. And you don't consider that a lot?**

23 A. No, because --

24 **Q. Go ahead.**

25 A. If I may clarify.

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1 was estimating in my head, we tend to do three-book
2 contracts. That's where I was getting those numbers
3 from. I just -- I don't remember. I'm sorry.

4 Q. Approximately how many manuscripts has Emily
5 Sylvan Kim sent Entangled over the years?

6 A. I would have no way of knowing.

7 Q. Would you characterize Emily Sylvan Kim as a
8 good friend of yours?

9 A. I would now.

10 Q. Excuse me?

11 A. I would now.

12 Q. For how long would you characterize her as a
13 good friend?

14 A. The last 2-1/2 years.

15 Q. And how would you describe your relationship
16 with her?

17 A. Good.

18 Q. Do you socialize together?

19 A. We do not.

20 Q. Over the last two years, how often would you
21 estimate that you speak to her?

22 A. Could you be more specific about "speak"?

23 Q. How about over the telephone?

24 A. I speak to her frequently when we're in the
25 middle of editing one of Tracy's books. I speak to her

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1 quite infrequently when we're not.

2 Q. And other the last three years, how often
3 would you estimate that you text with her?

4 A. I would say the same. I text with her
5 frequently when we're working on a book or working
6 towards a deadline, and less frequently when we're not.

7 Q. Does she edit -- does she text you suggested
8 edits for the book?

9 A. No.

10 Q. What kind of things do you text about?

11 A. When will Tracy be delivering the manuscript;
12 oh, my God, we hit the New York Times list; look at
13 this amazing post that somebody made about the Crave
14 series, they said it changed their lives; hey, do you
15 know where Tracy is? I need to ask her a question.

16 Yeah, things like that.

17 Q. Over the last three years, how often would you
18 estimate that you see her?

19 A. I think I have only seen her once.

20 Q. Do you attribute that in part to COVID?

21 MS. WOLFF: Object to form. You can
22 answer.

23 A. I have no idea. I don't live in New York.

24 Q. Is it fair to say that Emily Kim was involved
25 in editing the books in the Crave book series?

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1 A. No.

2 Q. Is it fair to say that Ms. Kim was involved --
3 strike that.

4 Didn't Emily Kim actually make
5 contributions to the story line in the Crave book
6 series?

7 A. Not with me.

8 Q. She may have with Tracy?

9 A. I don't know what she did with Tracy.

10 Q. Is it accurate to say that Emily Sylvan Kim
11 also contributed to the writing in the Crave book
12 series?

13 A. No, that would not be accurate.

14 Q. Well, you don't know what she did with Tracy
15 Wolff, correct?

16 A. Correct.

17 Q. How would you describe Emily Sylvan Kim's
18 contributions to the Crave book series?

19 A. She was our cheerleader.

20 Q. Well, didn't she write some of the chapter
21 titles?

22 A. Not that I'm aware of.

23 Q. Didn't she write the series bible?

24 A. Actually, no, I believe her assistant did.

25 Q. And what's her assistant's name?

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1 A. I don't know.

2 Q. How do you know that her assistant wrote it?

3 A. I have a recollection of her going, "I asked
4 my assistant to read the series and create a bible,"
5 and I have a separate recollection of her going, "My
6 assistant just re-read them and updated the bible."

7 Q. What else, if anything, did Emily Sylvan Kim
8 do in connection with the series?

9 A. After I would finish edits and it would go to
10 Stacy Abrams for copy edits, since I made a lot of
11 changes that Tracy wouldn't see, Emily would
12 essentially read the manuscript and make sure there
13 wasn't anything that she felt Tracy would object to
14 that I had done to the book.

15 Q. And did she have objections from time to time?

16 A. She had one objection once saying she felt
17 something wasn't Tracy's voice that I had written. She
18 was wrong. Tracy had written that passage. And most
19 of the time, again, she was just a cheerleader saying,
20 "Keep going, it's amazing, I love it."

21 Q. What passage was that that Tracy had written
22 that she --

23 A. It was a sentence in Court. I can't remember
24 exactly what the sentence was. I just remember it
25 because it was humorous. It was Tracy's.

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1 Q. Was she more involved than an agent would
2 typically be involved?

3 A. It's hard to answer that question because this
4 book process is atypical as well.

5 Q. Why was this book process atypical?

6 A. Because I collaborated more on this book.
7 It's not the only book I have done that with. I have
8 done it with many books. But on this particular book I
9 collaborated a lot.

10 Because of the crunched timeline, which
11 was not in the original plans, we had to edit these
12 incredibly fast. So a lot of times I had to do edits
13 and make changes without getting the author.

14 Q. Why were you on a crunch timeline?

15 A. Because the first book sold so well that
16 they -- they -- my distributor felt we could get more
17 books into book stores faster. It's called escalating
18 a print schedule and you do it when you have -- when
19 you have a hit sometimes.

20 Q. Is it customary for agents to write a series
21 bible?

22 A. Oh, yes.

23 Q. It is customary for a book agent to do that?

24 A. Yes.

25 Q. Is it customary for a book agent to write

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1 chapter titles?

2 A. Not many books have chapter titles. So --

3 Q. Approximately how many books have you -- has
4 Entangled published since 2010?

5 A. I believe the number is somewhere
6 around 3,000.

7 Q. How many YA books set in Alaska have you --
8 has Entangled published?

9 A. I don't know.

10 Q. Has there been any -- any others than Crave?

11 A. I'm sure we have books in Alaska. I know -- I
12 don't know about why you specifically -- I mean, off
13 the top of my head, we have two. But I don't know
14 specifically -- I don't know every YA book that we
15 publish.

16 Q. You have two what?

17 A. Books in Alaska.

18 Q. Are they YA books?

19 A. Those two, no.

20 Q. What are the names of the books?

21 A. One of them is called Arctic Bite and is a
22 vampire in Alaska. Another, I don't know the title of
23 it, but it was -- Samantha Beck was the author. It's
24 about a woman living in Southern California who
25 relocates to Alaska.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Q. Well, tell me which part you know.

2 MS. WOLFF: You can answer if you can
3 understand, yes.

4 A. Okay. I don't know about Anchorage other than
5 it violated the plans for the series to make it
6 isolated, to put in a boarding school that was
7 isolated. And Fairbanks to Healy, my recollection is I
8 had a lot of knowledge about Healy. I had just gone on
9 a cruise that summer and had taken tours and was able
10 to inform her of how remote Healy was. There was only
11 one traffic light in Healy, they told us, and everybody
12 navigates in that town based on how far away you're
13 from the traffic light.

14 So we wanted to make the school as remote
15 as possible. It's a paranormal school. You don't want
16 average people stumbling into it. It was a unique
17 special school. So we wanted to get remote.

18 Q. Whose idea was it to use Alaska as the setting
19 for the Crave book series?

20 A. I don't recall.

21 Q. Was it your idea?

22 A. I don't recall. It could have been. I went
23 on a cruise that summer to Alaska.

24 Q. Do you know why Alaska was used as a setting
25 in the series?

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 A. When we're working on a book, all day, every
2 day. When we're not, if I have some news to share.

3 Q. And over the last three years, how often would
4 you estimate you text with her?

5 A. I would say the same thing. During a book,
6 frequently. Not during a book, when I have something
7 to share.

8 Q. And in the last three years, how often do you
9 estimate that you see Tracy Wolff?

10 A. Maybe once every three months.

11 Q. Do you have a reputation amongst Tracy Wolff
12 and Emily Kim as being a liar?

13 A. Not that I'm aware of before yesterday, no.

14 Q. Why do you say "before yesterday"?

15 A. Because I reviewed documents.

16 Q. And who showed you those documents?

17 A. My attorney.

18 Q. Let me show you what's been previously marked
19 as Exhibit 50, a text message string.

20 Is this a document you saw? Because
21 there are other documents similar to this.

22 A. I would like to clarify "saw." I didn't read.
23 I just saw, like that.

24 Q. And they told you -- well, strike that.

25 I'm going to read out loud part of it,

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 A. Yes.

2 Q. And did you give it to them?

3 A. I did.

4 Q. And why did they think you didn't give it to
5 them?

6 A. Because there are six versions of the
7 synopsis. We were struggling about how to end the
8 series. I especially was struggling with -- in
9 fiction, there are these things called Chekhov guns.
10 You take them out of a drawer, you set them there, and
11 later on you have to fire them. A Chekhov gun is
12 something that you know a reader is going to want to
13 know how it concludes.

14 This is the fourth book in what was
15 supposed to be the final book in a series. We had set
16 off -- we had taken a number of Chekhov guns out of the
17 drawer throughout the series and I was struggling with
18 how to fire all of them in a competent and cohesive
19 manner for the final book. So I would start a synopsis
20 in one direction, let's fire these and then these and
21 then this, closing loopholes. It wouldn't work. I
22 would have to back up, I would have to start all over
23 again.

24 Anytime I would tell them, "At this
25 particular time, I don't know where we are going,"

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Tracy -- anger is a masking emotion. The real emotion
2 here is fear. She's afraid I'm not going to be able to
3 fire all of these guns in a final book in time for her
4 to write it.

5 She was right to be afraid because you
6 couldn't fire them all, and we ended up having to make
7 this a six-book series. And that was the -- the
8 solution to it.

9 Q. Were you going -- strike that.

10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]

14 A. No.

15 Q. Do you have any idea why Tracy would've said
16 that?

17 A. Yes.

18 Q. Why?

19 A. Because I said we had to have a tax planning
20 meeting because we postponed the book from November to
21 a February release, and the way that publishing -- the
22 way that the world works in the United States, you have
23 to pay taxes on cost of the goods sold.

24 So that means we created a tax event with
25 inventory and then we had to meet with our accountants

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 on what to do with the inventory. She just doesn't
2 understand.

3 Q. Do you know who Lynne Freeman is? Strike
4 that?

5 So you wrote this synopsis, you said, for
6 the book Court, correct?

7 A. Correct.

8 Q. Did you write a synopsis for any of the other
9 books in the Crave book series?

10 A. I did.

11 Q. Which ones?

12 A. Crush, Covet.

13 Q. So you wrote them for Crush, Covet, and Court.

14 A. Yes.

15 Q. Who wrote the synopsis for Crave?

16 A. I don't believe there was one.

17 Q. Are you sure -- okay. And who wrote it for
18 the rest of the books in the Crave book series?

19 A. I did.

20 Q. Well, you didn't mention Cherish or -- who
21 wrote for Cherish?

22 A. I apologize, I thought I was only supposed to
23 mention the first four.

24 Q. No.

25 A. I wrote them all. I'll clarify that

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Freeman vs.
Deebs

Elizabeth Pelletier

1 occasionally Tracy would start one, but I would end up
2 writing it.

3 Q. So you wrote them all but for Crave?

4 A. I'm not aware there was one for Crave.

5 Q. So you didn't write it for Crave?

6 A. Yeah. No one did.

7 Q. Do you know who Lynne Freeman is?

8 A. I do now.

9 Q. Have you ever met Lynne Freeman?

10 A. Not to my knowledge.

11 Q. When did you first hear or see her name?

12 A. The date of the demand letter.

13 Q. And explain the context in which you first
14 heard or saw her name.

15 A. It was in the demand letter.

16 Q. Are you familiar with a manuscript that
17 Ms. Freeman wrote that is the subject of this lawsuit?

18 A. I am now.

19 Q. Do you know the name of the manuscript?

20 A. I believe it's Blue Moon Rising.

21 Q. When did you first become aware of the
22 manuscript?

23 A. The date of the --

24 MS. WOLFF: Object to the form. You can
25 answer.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 A. -- the demand letter.

2 Q. Well, didn't you become aware of it in 2013
3 when Emily Sylvan Kim sent you a letter about the
4 manuscript?

5 A. No.

6 Q. For the rest of the deposition, I'm going to
7 refer to Blue Moon Rising either as Blue Moon Rising or
8 Masked. Is that understood?

9 A. Sure.

10 Q. Did you ever read all or any part of Masked?

11 A. No.

12 Q. Excuse me?

13 A. No.

14 Q. I'm going to show you what has been previously
15 marked as Exhibit 4. Please look at this e-mail, which
16 is an e-mail dated October 18 -- well, there's two
17 e-mails. The one at the bottom is dated October 10,
18 2013, and it's from Emily Kim -- Emily Sylvan Kim to
19 you. And the top e-mail is from Stacy Abrams back to
20 Emily Kim.

21 Have you ever seen this e-mail before?

22 A. No.

23 Q. No, you have never seen it?

24 A. It's got my name on it. I have no
25 recollection.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Q. Do you doubt that you received this e-mail
2 from Emily Sylvan Kim on or about October 10, 2013?

3 A. No.

4 MS. WOLFF: Object --

5 MR. PASSIN: Excuse me?

6 MS. WOLFF: Just object to form. You can
7 answer.

8 A. No.

9 Q. Did you read the e-mail when you received it?

10 A. I don't believe I did based on how I forwarded
11 it.

12 Q. What does that mean?

13 THE REPORTER: "How I" what?

14 THE WITNESS: How I forwarded it.

15 Q. And what does that mean?

16 A. There's no writing in my forward.

17 Q. Well, how did you know it was something to
18 forward to Stacy Abrams if you didn't read it?

19 A. It's an e-mail from an agent with a
20 submission.

21 Q. Well, how did you know it was -- it had a
22 submission unless you read it?

23 A. I would assume that the subject line somehow
24 informed it because there is the title of a book in it.

25 Q. Isn't it true to also assume that you read it

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 **when you received it?**

2 MS. WOLFF: Object to form. You can
3 answer.

4 A. Maybe. I don't recall. But typically if I
5 would have read it, I would have made an idea if I
6 thought it was something that we would want to acquire,
7 and I would have put that in the message to Stacy,
8 "This looks interesting." But I didn't say anything.

9 **Q. Why did you forward it to Stacy Abrams as**
10 **opposed to a different person at Entangled?**

11 A. Stacy was the editorial director of Teen and
12 she was acquiring a ton of manuscripts. She worked
13 with Emily Sylvan Kim before. She was also acquiring
14 on Brazen and Bliss a lot, Brazen a lot.

15 She was an editor that I really thought
16 very highly of and she was taking on a lot of
17 submissions while it was closed for me because I knew
18 she would handle them.

19 **Q. How did you know it was a Teen book unless you**
20 **read the e-mail?**

21 A. I didn't know it was a Teen book. I'm saying
22 she was the editorial director of Teen. She was
23 somebody that I revered.

24 **Q. But obviously you must have known it was a**
25 **Teen book if you sent it to her because she was**

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 that we got were Teen. So she was the natural person
2 to receive that.

3 MR. PASSIN: Move to strike as
4 nonresponsive.

5 Q. Did you discuss with Stacy Abrams at the time
6 you sent her this e-mail, anything about it?

7 A. No, I can't recall.

8 Q. So you may have, and you just don't recall?

9 A. I don't.

10 Q. Excuse me?

11 A. I can't imagine why I would.

12 Q. I'm going to show you what's previously been
13 marked as Exhibit 5. Can you please take a look at
14 this exhibit? Do you see that Emily Kim forwarded a
15 copy of Masked to Stacy Abrams?

16 A. Yes.

17 Q. Did you see this e-mail on or about
18 October 30, 2013?

19 A. I have never seen this e-mail before today.

20 Q. After Stacy Abrams received a copy of Masked,
21 did she or anyone else forward you a copy of the Masked
22 manuscript?

23 A. No, they wouldn't.

24 Q. What do you mean, "no, they wouldn't"?

25 A. I was closed to submissions.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Q. Well, but if Stacy Abrams was going to agree
2 to publish a book, wouldn't she have to discuss it with
3 you?

4 A. Not the entire manuscript, no.

5 Q. But she would have to discuss it with you,
6 correct?

7 A. She would have to bring it to an acquisitions
8 meeting.

9 Q. Right. And at the acquisitions meeting, I
10 assume she would have to discuss the contents of the
11 book?

12 A. She would have to discuss the blurb, the first
13 three chapters, why she thought the book would sell,
14 who she thought the target market was. We don't go in
15 these acquisition meetings through the plots and
16 everything. But, yes, she would have discussed the
17 book in some form.

18 Q. Did Stacy Abrams bring Masked to an
19 acquisition meeting?

20 A. No.

21 Q. Did she ever raise Masked at an acquisition
22 meeting?

23 A. No.

24 Q. You remember this even though it was back
25 in 2013?

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 A. I remember most of our acquisitions because I
2 would acquire anything that they brought, typically.

3 Q. Well, but in an acquisitions meeting, I assume
4 you discuss many books that you don't eventually
5 acquire; isn't that correct?

6 A. Back then, not many because we were just
7 starting out.

8 Q. But do you remember all of the books that were
9 raised in acquisition meetings back in 2013?

10 A. That is a fair statement, no.

11 Q. Did Stacy Abrams or anyone else ever discuss
12 Masked with you?

13 A. No.

14 Q. Did Stacy Abrams or anyone else ever
15 communicate any contents of Masked to you?

16 A. Not to my recollection.

17 Q. Did Stacy Abrams or anyone else ever
18 communicate any of the language from Masked to you?

19 A. No.

20 Q. Do you know if Stacy Abrams ever read Masked?

21 A. I do not.

22 Q. When you send Stacy Abrams a potential
23 acquisition, is it fair to say you assume she's going
24 to read the book?

25 A. No.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Q. Do you know if Stacy Abrams ever got back to
2 Emily Sylvan Kim about Masked?

3 A. I do not.

4 Q. Excuse me?

5 A. I do not.

6 Q. Do you know what Stacy Abrams told Emily
7 Sylvan Kim about Masked?

8 A. I do not.

9 Q. Does Entangled still have the copy of Masked
10 that Emily Sylvan Kim sent to Stacy Abrams in 2013?

11 A. I don't know.

12 Q. Did you or someone else at Entangled look for
13 the manuscript in response to the plaintiff's document
14 request in this case?

15 A. Yes, a third party did.

16 Q. Who was the third party? Are you referring to
17 the discovery vendor?

18 A. Yes.

19 Q. Well, the discovery vendor didn't go in your
20 office and look for hard copies of documents, did it?

21 A. I don't have any hard copies of documents.

22 Q. You don't have any books lying around, any
23 manuscripts?

24 A. Not manuscripts, no.

25 Q. Well -- strike that.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 So where did this person look for the
2 book?

3 A. On our hard drives.

4 Q. Okay. And who sent the vendor their hard
5 drives?

6 A. I sent my -- my laptop. Everyone else, I
7 believe, gave logins.

8 Q. Did you send both your laptops or just one?

9 A. I sent one.

10 Q. Excuse me?

11 A. I sent one.

12 Q. Well, you used two laptops to edit the Crave
13 books. Why did you only send one?

14 A. I need the other one to make a living. I'm
15 working on it.

16 Q. So which one did you give them of the two Mac
17 Pros?

18 A. The older one.

19 Q. The older one.

20 MR. PASSIN: Counsel, I ask that you
21 immediately have that other computer sent to the vendor
22 and have it searched immediately.

23 MS. WOLFF: Objection.

24 MS. COLE: To -- do you mind? To
25 clarify, if I may, on the record --

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Freeman vs.
Deebs

Elizabeth Pelletier

1 MR. PASSIN: No, I don't want you to
2 clarify.

3 MS. COLE: Okay. Well, then, objection
4 that the -- an eDiscovery vendor searched for and
5 reviewed both computers, and Ms. Pelletier can explain
6 the reasoning why one computer was physically shipped
7 to the eDiscovery vendor and why one computer was not
8 physically shipped to the eDiscovery vendor.

9 MR. PASSIN: All right. I'll ask her.

10 Q. Why wasn't the other one shipped to the
11 eDiscovery vendor?

12 A. Because I'm using it.

13 Q. Did you give them access somehow?

14 A. Absolutely.

15 Q. How did you give them access?

16 A. I gave him the login to my laptop and he
17 logged in and took control of it.

18 Q. Do you have any idea what happened to the
19 Masked script -- or manuscript that Emily Southern Kim
20 sent to Stacy Abrams in 2013?

21 A. I don't know.

22 Q. Was any of the material or ideas from Masked
23 used in any of the Crave books?

24 A. No.

25 Q. Was any of the material or ideas from Masked

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 ever used in any of the drafts of any of the Crave
2 books?

3 A. No.

4 Q. Did you and Tracy Wolff ever discuss Masked?

5 A. No.

6 Q. Did you and Tracy Wolff ever discuss Lynne
7 Freeman?

8 A. No.

9 Q. Did you and Stacy Abrams ever discuss Masked?

10 A. No.

11 Q. Did you and Stacy Abrams ever discuss Lynne
12 Freeman?

13 A. No.

14 Q. Are you familiar with the book written by
15 Tracy Wolff called Tempest Rising?

16 A. I'm familiar with it, yes.

17 Q. What impact did the Tempest Rising series have
18 on Tracy's career that you're aware of?

19 A. I believe it catapulted her career.

20 Q. Is it accurate to say that Tempest Rising
21 books set the stage for the Crave series?

22 A. No.

23 Q. Is it accurate to say that Tracy got the Crave
24 series because of the Tempest series?

25 A. No.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 A. I don't recall.

2 Q. And did other people write samples?

3 A. No.

4 Q. Just her?

5 A. Uh-huh.

6 Q. How many people, approximately, were
7 approached?

8 A. That's not how I would say that sentence, so I
9 don't know how to respond.

10 Q. How would you say it?

11 A. I would say that I put it out there that I
12 wanted a new vampire series to my editors and my
13 editors were free to go and see if they had any author
14 who wanted to write that series. Tracy found Tracy and
15 asked Tracy if she wanted to.

16 Q. You mean Stacy found Tracy?

17 A. Sorry. Stacy, yeah. Sorry.

18 Q. And you have no idea how many other authors
19 were spoken to about the possibility of writing a book?

20 A. It could be zero -- sorry.

21 Q. Go ahead.

22 A. It could be zero. I have no idea.

23 Q. But you said earlier that other people were
24 approached.

25 A. I said the editors. That's why I was having

Confidential

Freeman vs.
Deeks

Elizabeth Pelletier

1 an issue with the phrasing.

2 Q. So you are saying that you asked more than
3 Stacy Abrams to see if there was anyone interested in
4 writing the vampire series, you just don't know whether
5 or not those editors spoke to actual authors?

6 A. Yes.

7 Q. All right. Is it fair to say that they likely
8 did because that's what they do for a living and
9 they --

10 A. I don't know. Honestly, I don't know.

11 Q. I would like to show you what has previously
12 been marked as Exhibit 7, an April 26, 2019 e-mail from
13 Tracy Deeks to Stacy Abrams. By the way, I'm going to
14 refer to Tracy Deeks as Tracy Wolff. Is that
15 understood?

16 A. That would be better, thank you.

17 Q. Tracy Wolff was one of her pen names, correct?

18 A. Yeah, and that's how I think of her. So I
19 appreciate that.

20 MS. WOLFF: And I remember the name.

21 Q. I'm going to read this e-mail out loud.

22 "Hi, Stacy. I'm so excited that you
23 thought of me for this. I put together five basic
24 ideas for you to look at. Everything is of course
25 flexible when it comes to creatures, plot, et cetera,

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 but I wanted to give you a rough idea of what I was
2 thinking for each of them. I'm on my way to my
3 cousin's wedding, but I'm happy to talk/answer e-mails
4 later tonight or early tomorrow morning and would be
5 happy to take another go at this if none of these ideas
6 appeal. I have a few more, but I need to get on the
7 road. LOL. Also, the fifth idea is contemporary based
8 on Meteor Garden/Boys Over Flowers, the most successful
9 anime turned TV show for girls in Asia's history, and
10 also usually popular over here. I fleshed it out into
11 a serial format, but it can easily be combined into a
12 four-book series or one book, even if it is something
13 you might be interested in. But the dynamic is exactly
14 what Liz is looking for. Ordinary girl in a super
15 rarified world, hence the huge worldwide response to
16 it. Can't wait to hear what you think."

17 You notice it says in the first paragraph
18 that, quote, "I'm so excited that you thought of me for
19 this," end quote, and in the penultimate paragraph that
20 "... the dynamic is exactly what Liz is looking for.
21 Ordinary girl in a super rarified world."

22 So based on the foregoing, is it accurate
23 to say that you communicated to Stacy Abrams prior to
24 April 26, 2019 that Entangled wanted to hire Tracy
25 Wolff to write a book about an ordinary girl in a super

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 **rarified world?**

2 MS. WOLFF: Object to form. You can
3 answer.

4 A. I would have spoken to Tracy -- Stacy that I
5 was looking for a book, but I would not have said,
6 "Contact Tracy." I was surprised when she brought me
7 Tracy.

8 **Q. But did you tell her you were looking for a**
9 **book about an ordinary girl in a super rarified world?**

10 A. I told her that I was looking for a book with
11 a fish out of water trope, and that's what that sounds
12 like.

13 **Q. What does that mean, a fish out of water**
14 **trope?**

15 A. Fish out of water is where you take a
16 character who is used to one world and then you put
17 them in a completely different world, much like --
18 think Arizona to Seattle for Twilight; Harry Potter,
19 from the suburbs to this exotic paranormal castle; Star
20 Wars from farming to the galaxy, traveling the galaxy.
21 It's fish out of water.

22 **Q. In Crave, it would be Grace to the Katmere**
23 **Academy?**

24 A. Yeah.

25 **Q. Now, was this conversation you had with Stacy**

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Abrams, was it an oral or written communication?

2 A. Oral.

3 Q. Okay. And when did it take place in relation
4 to April 26, 2019?

5 A. I don't recall exactly, but very close because
6 I remember being surprised at how fast Stacy wrote
7 Tracy.

8 Q. Was it face-to-face or over the telephone?

9 A. Over the telephone.

10 Q. Was anyone else --

11 A. With Stacy. With Stacy.

12 Q. Stacy?

13 A. Yes.

14 Q. Was anyone else on the phone call?

15 A. I can't recall.

16 Q. Do you see in the first paragraph it says, "I
17 put together five basic ideas for you to look at"?

18 A. I do.

19 Q. On or about April 26, 2019, did Stacy Abrams
20 show you the first -- or the five basic ideas that
21 Tracy Wolff put together?

22 A. I believe so, yes.

23 Q. Do you know how she sent it to you?

24 A. Probably e-mail, but I don't know.

25 Q. Well, is it fair to say that Stacy works --

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Abrams works remotely, correct?

2 A. She does.

3 Q. And she lives in Chicago?

4 A. She does.

5 Q. Did she ever work in the office -- where is
6 the Entangled office?

7 A. We do not have one.

8 Q. Oh, you don't have one. So everyone works
9 remotely?

10 A. Everyone.

11 Q. Okay. I would like to show you what's been
12 previously marked as Exhibit 8. And it's a document
13 containing the five ideas that were just referred to in
14 Exhibit 7.

15 MS. WOLFF: I have got several copies
16 here.

17 Q. Is this document containing the five ideas put
18 together by Tracy Wolff that Stacy Abrams showed you on
19 or about April 26, 2019?

20 A. I don't recall.

21 Q. You don't recall if this was it?

22 A. Do you mind if I take a minute?

23 Q. Yeah, go ahead. Please take as long as you
24 need.

25 A. (Witness reading document.)

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 I remember this now.

2 Q. Okay. So is it the document containing the
3 five basic ideas put together by Tracy Wolff that Stacy
4 Abrams showed you on or about April 26, 2019?

5 A. It is.

6 Q. Okay. By the way, I want to go back to
7 something.

8 Do you recall anything else said in the
9 conversation between you and Stacy Abrams in which you
10 told her you were looking for a book about a fish out
11 of water?

12 A. I remember that I communicated to her why I
13 wanted to do a Crave -- at the time it wasn't called
14 Crave -- a book, a vampire book, and why I thought it
15 would be a bestseller.

16 Q. What did you tell her?

17 A. I had recently seen an article. I'm a
18 voracious consumer of news articles and things like
19 that. I flip through them all day. And I had recently
20 seen an article that was talking about how trends -- I
21 believe it was clothing trends in particular, but how
22 trends cycle back every ten years.

23 I read a separate article -- YA sales
24 were soft at this time, and somebody had interviewed a
25 bunch of book store managers and asked them why they

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 thought YA sales were depressed, and the book store
2 managers, a lot of them were saying that, the women
3 who -- the people, but a lot of women write YA
4 romance -- who were writing these heroines were writing
5 the kind of heroine they wish they had been in high
6 school, having agency, understanding who they are,
7 where they want to go, just having all of the answers.
8 And they felt, in their opinion, that's why YA sales
9 had been depressed recently. That young girls couldn't
10 relate to that, they don't have all the answers, they
11 don't know what's going on.

12 And then I read a separate article
13 completely unrelated that was talking about how
14 Twilight was about to be ten years old, and so I had
15 the idea of bringing vampires back. I said, "But we
16 have do it in a fun, fresh way. We need a new angle on
17 it." And my idea was to take Twilight meets Harry
18 Potter and put those two together. So I needed
19 something fish out of water and fantastical and set
20 someplace that, you know, would be its own character.
21 And that's -- I really wanted the romance of Twilight,
22 though, which is like heart-pounding, does he like me,
23 does he not like me, like all of that that was missing
24 that, you know, isn't in a Harry Potter because that
25 was middle grade.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 So I remember telling her about -- you
2 know, I had this idea, this is what I wanted to do.
3 And then I remember it distinctly because I said,
4 "That's right, I'm bringing vampires back. Watch me do
5 it." And we all kind of laughed. We both laughed.

6 **Q. And you told this all in this conversation you**
7 **originally had with Stacy Abrams?**

8 A. I had this conversation many times. So I know
9 I said it at least once to Stacy because Stacy was the
10 first person to find someone.

11 **Q. And was it many times prior to April 26, 2019?**

12 A. Prior to April 26, but within the same
13 timeframe. As soon as I had the idea, I was telling a
14 lot of people about it.

15 **Q. Now, I don't think I brought it here today,**
16 **but do you know whether or not Stacy Abrams forwarded**
17 **those articles to Tracy Wolff?**

18 A. I can't imagine she did because I didn't give
19 them to Stacy. I do this sort of thing often. I take
20 news articles and I put a book idea together. We have
21 another book that's based on it, too.

22 **Q. I would like to show you what's previously**
23 **been marked as Exhibit 9, an e-mail chain between you**
24 **and Tracy Wolff and sometimes Emily Kim, dated April 26**
25 **through 27, 2019.**

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 It says, "Yes. I'm sorry I did not say
2 that yesterday. I was racing to get the e-mail off
3 before I had to go pick up the kids. She sent a few
4 notes, which I will send you separately, but she would
5 like to move forward."

6 Did you have conversation with Stacy
7 Abrams around May 7, 2019 in which you said you would
8 like to move forward with the Crave book series?

9 A. I vaguely recall this, yes.

10 Q. And I take it in that conversation you said
11 that you wanted -- you wanted Tracy Wolff to write the
12 series?

13 A. I believe so.

14 Q. Was that -- was that an oral conversation or
15 in writing?

16 A. I don't recall.

17 Q. Take a look at the top e-mail, which is a
18 May 7, 2019 e-mail from Stacy Abrams to Tracy Wolff.

19 The last sentence says, "One question.
20 Are we looking at this as a standalone or a trilogy or
21 a standalone with potential to be a trilogy? Just so I
22 know what I need my art to look like."

23 Do you see that?

24 A. I do.

25 Q. Is it correct that you told Stacy originally

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Freeman vs.
Deeks

Elizabeth Pelletier

1 A. I don't recall.

2 Q. What is your understanding on how the names
3 Grace and Jaxon were created?

4 A. It's my understanding Tracy came up with them.

5 Q. Do you know whether there was any input from
6 Emily Kim in the selection of the names?

7 A. I do not.

8 Q. What is your understanding of how the name
9 Bloodletter was created?

10 A. I apologize.

11 Q. What was your understanding of how the name
12 Bloodletter was created?

13 A. I believe I came up with it.

14 Q. And how did you come up with that name?

15 A. I play a lot of video games and it was a
16 weapon in a video became.

17 Q. Which video game is that?

18 A. Bloodborne.

19 Q. And how did you -- what is your understanding
20 of how the name Maris was created?

21 A. The nurse, Maris?

22 Q. Yeah, Maris.

23 A. Tracy, I believe.

24 Q. And what is your understanding of how the name
25 Gwen was created?

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 A. I don't remember a character named Gwen.

2 Gwen? Oh, Gwen, Gwen, yes, I remember now. I'm sorry,
3 big cast. Tracy.

4 Q. As the content editor, was there input from
5 you on selection of the names and the books in the
6 Crave series?

7 A. No.

8 Q. Did you ever give a copy of Masked to anyone?

9 MS. WOLFF: Object to form. You can
10 answer.

11 A. No.

12 Q. Excuse me?

13 A. No.

14 Q. Did you ever give a copy of Masked to Tracy
15 Wolff?

16 A. No.

17 Q. Did you ever give a copy of Masked to Stacy
18 Abrams?

19 A. No.

20 Q. Did you ever discuss Masked with anyone?

21 A. No.

22 Q. Did you ever discuss Masked with Tracy Wolff?

23 A. No.

24 Q. Did you ever discuss Masked with Stacy Abrams?

25 MS. WOLFF: Didn't you do all of these

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Freeman vs.
Deebs

Elizabeth Pelletier

1 questions before?

2 MR. PASSIN: It's different.

3 MS. WOLFF: It sounds familiar. Sorry.

4 Q. Did you ever discuss Masked with Emily Kim?

5 A. No.

6 Q. Did you ever discuss Lynne Freeman with
7 anyone?

8 A. No.

9 Q. Did you ever discuss Lynne Freeman with Tracy
10 Wolff?

11 A. No.

12 Q. Did you ever discuss Lynne Freeman with Stacy
13 Abrams?

14 A. No.

15 Q. Did you ever discuss Lynne Freeman with Emily
16 Kim?

17 A. No.

18 Q. Who in connection with the Crave series was
19 the expert on Alaska?

20 A. I don't know that any of us are an expert on
21 Alaska.

22 Q. Well, who provided the majority of the
23 information about Alaska that appears in the books --
24 in the Crave book series?

25 A. I would say it's a collaboration. Again, I

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Freeman vs.
Deebs

Elizabeth Pelletier

1 had just gone on a trip to Alaska, so I know I provided
2 some of the feedback. But I believe that Tracy also
3 Googled Alaska.

4 Q. Emily Kim had notes on Alaska. Were those
5 used in connection with the books in the Crave book
6 series?

7 A. I don't know.

8 Q. Please describe for me the contributions you
9 made to each of the books, Crave, Crush, Covet, and
10 Court.

11 A. I contributed to the synopses, the plot arcs,
12 the subplots, the character arcs, developments. I
13 contributed to editing the books, both content and line
14 edits. I published the books. I was involved in the
15 marketing plans for the books.

16 I think that's about it.

17 Q. What did you do in connection with the plot --
18 first of all, what are plot arcs?

19 A. As I said previously, most books have a
20 three-act structure. A plot arc is the movement from
21 Act 1 to Act 2, Act 2 to Act 3.

22 Q. And what specifically did you do in connection
23 with that?

24 A. Each of those doorways can be called beats. I
25 helped design the beats. I'm a stickler for structure.

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Freeman vs.
Deebs

Elizabeth Pelletier

1 So I made sure that the midpoint was always in the
2 middle of the book, that Act 1 and Act 2 were as
3 balanced as it could possibly be. Tracy tends to write
4 really long Act 1s, really short Act 3s, so I had to
5 juggle some stuff there.

6 She was writing the books as I was
7 editing them, which made it incredibly challenging to
8 find the midpoint. So I'm constantly reassessing how
9 far are you in, how many pages is this going to be.
10 When I think I've got the midpoint or exactly where the
11 midpoint is going to show up physically, I may have to
12 artificially move the midpoint during edits.

13 That's all relating to structure. And
14 then subplots, and then we have to decide how many
15 Chekhov guns.

16 Q. Now, when you are involved in the structure --

17 MS. WOLFF: Will you let her finish that
18 sentence?

19 Q. Go ahead.

20 A. We also have to decide how many Chekhov guns
21 on that plot are unfired.

22 Q. When you're working on the structure, do you
23 actually change the story line or you just make edits
24 that don't really change the story line?

25 MS. WOLFF: Object to form. You can

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Freeman vs.
Deebs

Elizabeth Pelletier

1 answer.

2 A. I prefer to work from synopsis. So the main
3 story has been mapped out, but sometimes -- as the
4 books got later, it was harder and harder to know what
5 Act 3 was going to be.

6 In a typical book, Act 1 introduces the
7 questions, Act 2 is where you evolve the questions, and
8 Act 3 is where you answer the questions. So if you
9 don't really have exactly what you want in Act 1 or you
10 don't have the evolution that you need in Act 2, Act 3
11 is very hard sometimes to come back.

12 So in regards to your question about the
13 synopsis and what I'm changing, sometimes Act 3 was
14 fluid or we don't wouldn't know exactly, but I like to
15 know exactly the original beats of one and two if I can
16 help it.

17 Q. Let me ask a question. You testified earlier
18 that you wrote the synopsis for all of the books except
19 there was no synopsis for Crave, correct?

20 A. Correct.

21 Q. Do those synopses still exist?

22 A. They do.

23 Q. Were they produced in this case, do you know?

24 A. They were.

25 Q. How can I tell what's the synopsis versus

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Freeman vs.
Deebs

Elizabeth Pelletier

1 **what's just a draft of the book?**

2 A. Many ways. One, I believe every file says
3 "synopsis" in the file title. Two, it doesn't read
4 like a book. It reads like a summary. Three, I
5 believe I have a tendency to write Scene 1, Scene 2,
6 Scene 3, Scene 4, and a summary.

7 **Q. And how long are approximately each one of**
8 **these synopses?**

9 A. They vary. I believe the one for Covet was 55
10 pages. It depends how many times I had to start and
11 stop on some of them. It also depends if Tracy had
12 started one and then I was going back in and trying to
13 use some of -- some of -- some of the ideas that she
14 might have had in the synopsis. That was really more
15 Crush and Cherish.

16 So when I'm plotting a book, I tend to do
17 it while I'm talking to you, like in a conversation.
18 That's how my thought process works. And when I get
19 stuck, I tend to -- to tell Tracy, "I'm stuck here,"
20 and then like let her be my sounding board. And then I
21 would go back and put it in writing.

22 **Q. So how many of the synopses did -- was Tracy**
23 **involved in writing?**

24 A. She started the synopsis for Crush. You have
25 that.

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Freeman vs.
Deebs

Elizabeth Pelletier

1 Q. What about -- was she involved in writing any
2 of the other ones?

3 A. Let me finish on Crush. I don't know that I
4 ended up using it. I would have to look at it again.

5 And then with Charm, I told her what I
6 wanted and then she reduced it to writing and sent it
7 back to me and said, "Is this what you wanted for
8 Charm?"

9 Q. And was it?

10 A. For the most part, yes.

11 Q. And did you rewrite it?

12 A. No.

13 Q. Excuse me?

14 A. No.

15 Q. What's a character arc?

16 A. A character arc is where you take a character
17 from a position of flaws to a position of realizing how
18 their life could be different without -- how wrong they
19 were with those flaws. Like Pride and Prejudice, the
20 main character, Mr. Darcy says, "Once my good fortune
21 is lost, it is lost forever," right? That is his flaw.
22 He doesn't forgive people and by the end of the book
23 you realize his arc is -- he realizes that's a terrible
24 way to live, that you have to be forgiving and
25 understanding of people.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Q. I apologize. What did you call them, guns?
2 What are they called?

3 A. Chekhov guns.

4 Q. Chekhov guns. Explain to me again what that
5 is. I apologize.

6 A. So let's say you want to -- say there is a
7 path that you are walking down -- your character is
8 walking down and you want them to go to the right. You
9 happen to mention there is a scary tree off to the
10 left, but they don't take that path. I have taken a
11 Chekhov gun and set it on counter and I have told you
12 there is probably something down that path, but I
13 haven't fired the gun. I haven't told you what's down
14 there yet.

15 Q. Did you write any of the chapter titles for
16 the Crave book series?

17 A. I don't believe so.

18 Q. Do you know who wrote the chapter titles?

19 A. I believe they were Tracy.

20 Q. Did Emily Kim write any of the chapter titles?

21 A. I believe she wrote some draft of ones, but I
22 don't think they were used.

23 Q. Is Crave the most commercially successful book
24 that Entangled has ever published?

25 A. Define "successful."

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Q. When was that?

2 A. That was in, I believe, the fall of -- I'm
3 terrible with dates -- 2011, I believe. It might have
4 been earlier.

5 Q. And under what circumstances did you
6 communicate with her in the fall of 2011?

7 A. Bloomsbury in the U.S. was laying off a number
8 of people and they were incredibly talented and I
9 reached out and -- and scooped up a few, and she was
10 one.

11 Q. So she was being laid off by Bloomsbury?

12 A. She wasn't. But Bloomsbury was changing the
13 way that they were operating, so I just knew there was
14 a restructure going on.

15 Q. And when did Stacy Abrams start working at
16 Entangled?

17 A. I don't remember.

18 Q. Was it sometime in 2011?

19 A. I believe so.

20 Q. Is it correct that Stacy Abrams was one of the
21 editors on the Crave book series?

22 A. No.

23 Q. Wasn't she the copy editor?

24 A. She was the copy editor. That's not an
25 editor.

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Q. A copy editor is not considered an editor?

2 A. They are considered a copy editor.

3 Q. And a content editor is a content editor?

4 A. Content editors are often referred to as just
5 editor.

6 Q. Would you characterize Stacy Abrams as a good
7 friend?

8 A. Uh-huh.

9 Q. How would you characterize your relationship
10 with her?

11 A. Very good.

12 Q. Do you socialize together?

13 A. We don't live in the same state.

14 Q. Over the last three years, how often would you
15 estimate you speak to her?

16 A. She's a colleague, so weekly.

17 Q. And how often over the last three years would
18 you estimate you text with her?

19 A. Infrequently. I think we e-mail.

20 Q. And over the last three areas, how often would
21 you estimate that you have actually seen her?

22 A. I'm terrible at this. I think twice, but I'm
23 not certain.

24 MR. PASSIN: I know it's a little early,
25 but would you mind taking a lunch break now?

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Freeman vs.
Deebs

Elizabeth Pelletier

1 the best person to ask. But that's what it looks like.

2 Q. So you are not that familiar with it?

3 A. Huh-uh.

4 Q. Do you know if they are payments for just the
5 Crave books or is it for all of the books that
6 Entangled pays Tracy Wolff for?

7 A. I have no idea.

8 Q. All right. You can put it aside. I'm going
9 to show you what was previously marked as Exhibit 47.
10 And on this, look at the third paragraph. I'm going to
11 read you a sentence.

12 "In this instance, Pelletier created the
13 basic story line for the Crave book series."

14 Is that true?

15 A. Yes.

16 Q. Tell me exactly for the book Crave what's the
17 story line that you created?

18 A. The story line is about a young girl whose
19 parents die and she's forced to go to a boarding school
20 with paranormal creatures. And she is a fish out of
21 water and then slowly discovers that the school is
22 filled with all kinds of paranormal creatures and it's
23 a school specifically for these paranormal creatures
24 and she's the only human among them.

25 Q. Did you create that on your own or did you do

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Freeman vs.
Deebs

Elizabeth Pelletier

1 Stacy.

2 Q. Right. Well, you already told us what it was?

3 A. Yeah.

4 Q. Okay. And it wasn't as detailed as Idea
5 No. 2?

6 A. Let me now go through No. 2 and point out -- I
7 was just pointing -- relating to the boarding school
8 part. That's what I was responding to.

9 Vampires I was looking for. A reboot on
10 Twilight, but more feminist. So the Volturi instead of
11 Edward Cullen was also what I'm looking for. The
12 hottest bad boy at this very rich boarding school,
13 again, would be -- that's Edward Cullen with the
14 boarding school. However, the -- the parts about "The
15 dark power he wields is nearly unimaginable. As his
16 18th birthday approaches he knows he will be expected
17 to step into his role in the family," that is -- that
18 is not part of my original idea. All of the rest of
19 her idea is a reboot on Twilight.

20 Q. All right. Now, what were you saying about
21 Cullen? Are you saying that was your idea?

22 A. No. I'm saying that -- when I told Stacy what
23 I was looking for, I said I was looking for Twilight
24 meets Harry Potter. Volturi instead of Cullen is
25 Twilight.

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Freeman vs.
Deebs

Elizabeth Pelletier

1 A. [REDACTED]

2 Q. Is Prospect and Emily Kim being indemnified by
3 anyone?

4 A. Not that I'm aware of.

5 Q. If an agent submits a manuscript to Entangled
6 and Entangled decides not to pursue that manuscript, is
7 it Entangled's policy -- or was it their policy in 2013
8 to send a written rejection letter to the agent?

9 A. We try to send rejection letters, but we
10 didn't always.

11 Q. Okay. And is it your policy now?

12 A. Even now we try and send rejection letters,
13 but we don't always.

14 Q. When Tracy Wolff testified -- and I'll try to
15 get this as best I can based on my recollection -- I
16 recall her giving me the impression that one of the
17 reasons you were looking to write the YA book is there
18 was an opening in your schedule, that some book dropped
19 out and wasn't going to be completed.

20 A. Correct.

21 Q. Okay. So what -- explain that situation to
22 me.

23 A. It's very often in publishing, publishing is a
24 creative art form, that an author will commit to
25 writing a book and delivering it by a certain date.

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Freeman vs.
Deebs

Elizabeth Pelletier

1 They will promise over and over again they are going to
2 hit it, they are going to hit it, give them an
3 extension, and then you sometimes run into trouble that
4 they did not finish the book, it's not going to make
5 the printer deadline or it just didn't develop the way
6 that you hoped it would develop in edits and it needs
7 more time.

8 I don't remember specifically why a book
9 dropped out. My vague recollection is this particular
10 author had -- was struggling with depression and
11 couldn't write. And she was a very large author, if
12 it's who I'm thinking of, and it left a hole in the
13 schedule for a very large book to slide in.

14 Q. Was it two books or just one book?

15 A. I believe it was just the one book.

16 Q. But it was one author or two authors?

17 A. Oh, it's -- if it's what I'm remembering, it
18 is one author.

19 Q. [REDACTED]

20 A. [REDACTED]

21 Q. [REDACTED]

22 A. [REDACTED]

23 Q. One thing I wanted to ask you is --

24 THE VIDEOGRAPHER: The microphone slid
25 all the way down your jacket.

Confidential

Freeman vs.
Deeks

Elizabeth Pelletier

1 I, ELIZABETH PELLETIER, have read the foregoing
2 deposition and hereby affix my signature that same is
3 true and correct, except as noted above.

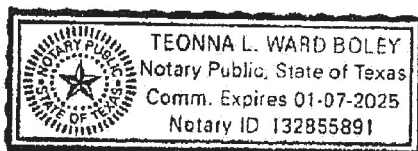
4 
5 ELIZABETH PELLETIER

6 THE STATE OF Texas)

7 COUNTY OF Williamson

8 Before me, Teonna L Ward Boley on this day personally
9 appeared ELIZABETH PELLETIER, known to me (or proved to
10 me under oath or through driver license) (description
11 of identity card or other document) to be the
12 person whose name is subscribed to the foregoing
13 instrument and acknowledged to me that he executed
14 the same for the purposes and consideration therein
15 expressed.

16
17 Given under my hand and seal of office, this
18 12 day of April, 2023.



Teonna L Ward Boley
NOTARY PUBLIC IN AND FOR
THE STATE OF Texas

23 My commission expires:

01/07/2025

24 No Changes Made

X

Amendment Sheet(s) Attached

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Freeman vs.
Deebs

Elizabeth Pelletier

1 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2 LYNNE FREEMAN, an)
3 individual,)
Plaintiffs,)
4)

VS.) Case No. 1:22-cv-02435-LLS
5)

TRACY DEEBS-ELKENANEY)
6 P/K/A TRACY WOLFF, an)
individual, EMILY SYLVAN)
7 KIM, an individual,)
PROSPECT AGENCY, LLC, a)
8 New Jersey limited)
liability company,)
9 Entangled Publishing,)
LLC, a Delaware limited)
10 liability company,)
Holtzbrinck Publishers,)
11 LLC D/B/A MACMILLAN, a)
New York limited)
12 liability company, and)
Universal CITY STUDIOS,)
13 LLC, a Delaware limited)
liability company,)
14 Defendants.)

15

16 REPORTER'S CERTIFICATION OF THE ORAL
17 DEPOSITION OF ELIZABETH PELLETIER
MARCH 9, 2023

18 I, Donna Wright, a Certified Shorthand
19 Reporter and Notary Public in and for the State of
20 Texas, hereby certify to the following:

21 That the witness, ELIZABETH PELLETIER, was
22 duly sworn by the officer and that the transcript of
23 the oral deposition is a true record of the testimony
24 given by the witness;

25 That the original deposition was delivered to

Confidential

Freeman vs.
Deebs

Elizabeth Pelletier

1 Ms. Nancy Wolff;

2 That a copy of this certificate was served on
3 all parties and/or the witness shown herein on
4 March 9th, 2023;

5 I further certify that pursuant to FRCP Rule
6 30(3) that the signature of the deponent:

7 X was requested by the deponent or a party
8 before the completion of the deposition and that the
9 signature is to be before any notary public and
10 returned within 30 days from date of receipt of the
11 transcript. If returned, the attached Changes and
12 Signature Page contains any changes and the reasons
13 therefore:

14 was not requested by the deponent or a
15 party before the completion of the deposition.

16 I further certify that I am neither counsel
17 for, related to, nor employed by any of the parties or
18 attorneys in the action in which this proceeding was
19 taken, and further that I am not financially or
20 otherwise interested in the outcome of the action.

21

22

23

24

25

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Freeman vs.
Deebs

Elizabeth Pelletier

1 Certified to by me on this, the 13th day of
2 March, 2023.

3
4
5 *Donna Wright*

6 DONNA WRIGHT, Texas CSR 1971
7 Expiration Date: 11/30/24
8 APTUS COURT REPORTING
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